

AMENDMENT TRANSMITTAL LETTER (Large Entity)

JUN 25 2004

Docket No.

50623.305

Applicant(s): Daniel Castro et al.

Serial No.

10/602,487

Filing Date

June 23, 2003

Examiner

Jennifer Kolb Michener

Group Art Unit

1762

Invention:

Method For Depositing A Coating Onto A Surface Of A Prosthesis

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.

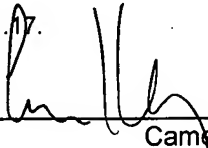
The fee has been calculated and is transmitted as show below.

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	41	33	8	X \$18.00	\$144.00
INDEP. CLAIMS	2	3	0	X \$86.00	\$00.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$00.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$144.00

- ☐ No additional fee is required for amendment.
- ☒ Please charge Deposit Account No. **07-1850** in the amount of **\$144.00**
A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of _____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any necessary fees associated with this communication or credit any overpayment to Deposit Account No. **07-1850**
A duplicate copy of this sheet is enclosed.
- ☐ Any additional filing fees required under 37 C.F.R. 1.16.
- ☐ Any patent application processing fees under 37 C.F.R. 1.17.

Dated: June 24, 2004
 Squire, Sanders & Dempsey L.L.P.
 1 Maritime Plaza, Suite 300
 San Francisco, CA 94111
 (415) 954-0200


 Cameron K. Kerrigan
 Reg. No. 44,826

cc: Docket:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Daniel Castro et al.

Examiner: Michener, Jennifer Kolb

Serial No.: 10/602,487

Art Unit: 1762

Filed: 6/23/03

Title: Method For Depositing A Coating Onto A Surface Of A Prosthesis

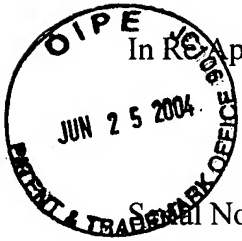
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Response to Restriction Requirement and Amendment to the Claims

Dear Examiner Michener:

Applicants would like to respond to the restriction requirement, without traverse, and amend the claims as indicated herein. Applicants do not believe that the amendment to the claims renders the application un-examinable for art unit 1762 or that obviates the restriction requirement imposed by the Examiner. Applicants believe that the restriction requirements applies equally to the claims presented herein. Accordingly, applicants elect **“moving both the dispenser and the stent.”** **Claims 94, 95, 96, 97, 98, 99, 100, 101, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133 and 134 are identified as being readable thereon.**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In Re Application of:

Daniel Castro et al.

Examiner: Jennifer Kolb Michener

Serial No.: 10/602,487

Art Unit: 1762

Filed: June 23, 2003

Title: Method For Depositing A Coating Onto A Surface Of A Prosthesis

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

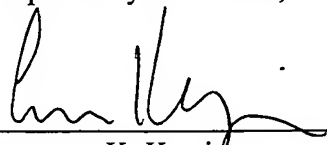
Second Response to Notice of Non-Compliant Amendment (37 CFR 1.121)

Dear Examiner Michener:

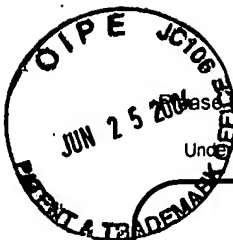
Enclosed is a third version of the response to the restriction requirement. Applicants are resubmitting the response so as to include the proper status indicator for the amended claims as "currently amended." If there are any other deficiencies in the response, the Examiner is invited to call to undersigned attorney of record.

Date: June 24, 2004
Squire, Sanders & Dempsey L.L.P.
One Maritime Plaza, Suite 300
San Francisco, CA 94111
Telephone (415) 954-0200
Facsimile (415) 393-9887

Respectfully submitted,


Cameron K. Kerrigan
Attorney for Applicants
Reg. No. 44,826

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06-28-0X

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Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

12

Application Number

10/602,487

Filing Date

June 23, 2003

First Named Inventor

Daniel Castro

Group Art Unit

3738

Examiner Name

Jennifer Kolb Michener

Attorney Docket Number

50623.305

ENCLOSURES (check all that apply)

- ☒ Deposit Account 07-1850 Authorization
- ☒ Postage Paid Return Postcard
- ☒ Response (8 pages)
- ☒ Amendment Transmittal Letter (in duplicate)

☐ Affidavits/declaration(s)

- ☒ Response to Notice of Non-Compliant Amendment (1 page)

☐ Information Disclosure Statement (in duplicate) with Form PTO-1449 and References

- ☒ Express Mail Label No. EV 339063415 US

☐ Request for Corrected Filing Receipt (in duplicate)

☐ Response to Missing Parts/Incomplete Application

☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s) In/Formal ___ Sheets with Submission of Drawings Transmittal
- ☐ Issue Fee Transmittal with PTO-85b (in duplicate)
- ☐ Request for Continued Examination Transmittal (RCE)
- ☐ Fee Transmittal Form (in duplicate)

☐ Power of Attorney, Revocation Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) _____

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Request for Status of Application

☐ Other Enclosure(s) (please identify below):

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Squire, Sanders & Dempsey L.L.P.
Cameron K. Kerrigan, Reg. No. 44,826

Signature

Date

June 24, 2004

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: June 24, 2004

Typed or printed name

Rebecca M. Klits

Signature

Rebecca M. Klits

Date

June 24, 2004